

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Er-Xuan Ping
Serial No. : 10/732,962
Filed : December 11, 2003
Title : EVEN NUCLEATION BETWEEN SILICON AND OXIDE
SURFACES FOR THIN SILICON NITRIDE FILM GROWTH
Docket : MIO 0088 V3/40509.280
Confirmation No. : 9292

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 28, 2004.

Attorney - William A. Jividen

Reg. No. 42,695

Sir:

**PETITION TO WITHDRAW THE NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION**

Applicant hereby petitions the Commissioner to withdraw the Notice of Incomplete Nonprovisional Application issued on June 22, 2004. The petition fee of \$130.00 pursuant to 37 CFR 1.17(h) is enclosed. Pursuant to the Notice of Incomplete Nonprovisional Application (return copy enclosed), enclosed are the formal drawings as deposited on December 11, 2003 and a copy of the Declaration from the prior (parent) application pursuant to 37 CFR 1.53(b) and is in compliance with 37 CFR §1.63.

Applicant also encloses copies of the Utility Patent Application Transmittal, Initial Information Data Sheet, and return receipt post card all indicating that the drawings and the Declaration from the prior (parent) application were submitted on December 11, 2003.

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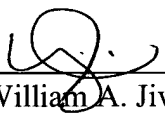
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Therefore, Applicant hereby requests the filing date of December 11, 2003 be accorded due to the remarks above and the filing receipt be generated and mailed to the address below.

Please direct any questions or concerns to the undersigned attorney.

Respectfully submitted,
DINSMORE & SHOHL LLP

By  _____
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